

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

DUSTIN JOHNSON,

Plaintiff,  
v.

Civil Action No.: 1:14-CV-03457-  
LMM

MORRIS SCHNEIDER WITTSTADT, LLC  
f/k/a MORRIS HARDWICK SCHNEIDER,  
LLC; MSLAW, INC. f/k/a MHSLAW, INC.;  
NATHAN HARDWICK IV, ESQ.; MARK  
WITTSTADT, ESQ.; GERARD WM.  
WITTSTADT JR., ESQ.,

Defendants.

**MOTION TO DISMISS AMENDED COMPLAINT**

In furtherance of the Settlement Agreement executed by the Parties in this action, Plaintiff, Dustin Johnson (“Plaintiff”), by counsel, and Defendants Morris Schneider Wittstadt, LLC f/k/a Morris Hardwick Schneider, LLC; MSLAW, Inc. f/k/a MHSLAW, Inc.; Nathan Hardwick IV; Mark Wittstadt; and Gerard Wm. Wittstadt, Jr. (“Defendants”) (Plaintiff and Defendants are collectively referred to hereinafter as the “Parties”), by counsel, pursuant to Rule 41(a)(2) of the Federal Rules of Procedure, jointly submit this *Motion to Dismiss Amended Complaint*. The Parties have agreed to the form of the Consent Order attached hereto as Exhibit A and request the Court enter the attached Order.

WHEREFORE, the Parties move for dismissal of this action with prejudice and ask this Court to enter the attached Consent Order.

Respectfully submitted, this 2<sup>nd</sup> day of September, 2016.

/s/ Thomas J. Gallo  
Thomas J. Gallo  
Georgia Bar No. 283048  
Barnes & Thornburg LLP  
3475 Piedmont Road, NE, Suite 1700  
Atlanta, GA 30305-3327  
Telephone: 404-846-1693  
Facsimile: 404-264-4033  
[thomas.gallo@btlaw.com](mailto:thomas.gallo@btlaw.com)

*Attorneys for Plaintiff Dustin Johnson*

/s/Scott E. Zweigel  
William J. Holley, II  
Georgia Bar No.362310  
Scott E. Zweigel  
Georgia Bar No.786616  
Parker, Hudson, Rainer & Dobbs, LLP  
1500 Marquis Two Tower  
285 Peachtree Center Avenue, N.E.  
Atlanta, GA 30303  
Telephone: 404-523-5300  
Facsimile: 404-522-8409  
[wholley@phrd.com](mailto:wholley@phrd.com)  
[szweigel@phrd.com](mailto:szweigel@phrd.com)

*Attorneys for Morris Schneider  
Wittstadt, LLC f/k/a Morris Hardwick  
Schneider LLC, and MSLAW, INC. f/k/a  
MHSLAW, INC.*

s/E.A. "Seth" Mills, Jr.  
E.A. "Seth" Mills, Jr., Esq.  
Georgia Bar No. 978007  
100 North Tampa Street, Suite 3700  
Tampa, Florida 33602  
Telephone: (813) 299-3500  
[smills@mpdlegal.com](mailto:smills@mpdlegal.com)

*Attorneys for Defendants Mark  
Wittstadt, and Gerard Wm. Wittstadt*

Zack D. Anderson, Esq.  
Georgia Bar No. 893340  
One Atlantic Center  
1201 West Peachtree Street, Suite 2610  
Atlanta, Georgia 30309  
Telephone: (404) 870-8022  
[zanderson@mpdlegal.com](mailto:zanderson@mpdlegal.com)

*Attorneys for Defendants Mark  
Wittstadt, and Gerard Wm. Wittstadt*

/s/Peter Werdesheim

Johannes S. Kingma  
Georgia Bar No. 421650  
Peter Werdesheim  
Georgia Bar No. 748330  
Carlock, Copeland & Stair, LLP  
191 Peachtree Street, Suite 3600  
Atlanta, GA 30303  
Telephone: 404-522-8220  
[jkingma@carlockcopeland.com](mailto:jkingma@carlockcopeland.com)  
[pwerdesheim@carlockcopeland.com](mailto:pwerdesheim@carlockcopeland.com)

*Attorneys for Defendant  
Nathan E. Hardwick, IV*

/s/Matthew D. Daley

Edward T. M. Garland  
Georgia Bar No. 284900  
Robin N. Loeb  
Georgia Bar No. 455702  
Matthew D. Daley  
Georgia Bar No. 328815  
Garland Samuel & Loeb  
3151 Maple Drive, N.E.  
Atlanta, GA 30305-2500  
Telephone: 404-262-2225  
[etg@gsllaw.com](mailto:etg@gsllaw.com)  
[rn1@gsllaw.com](mailto:rn1@gsllaw.com)  
[mdd@gsllaw.com](mailto:mdd@gsllaw.com)

*Attorneys for Defendant  
Nathan E. Hardwick, IV*

**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing has been prepared in Times New Roman 14 font and is in compliance with United States District Court, Northern District of Georgia Local Rule 5.1.

/s/ Thomas J. Gallo  
Thomas Gallo  
Georgia Bar No. 283048

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of September, 2016, the foregoing MOTION TO DISMISS AMENDED COMPLAINT was electronically filed by using the CM/ECF system, which will automatically send notifications to the following parties of record in this matter:

William J. Holley, II  
Scott E. Zweigel  
Parker, Hudson, Rainer & Dobbs, LLP  
[wholley@phrd.com](mailto:wholley@phrd.com)  
[szweigel@phrd.com](mailto:szweigel@phrd.com)

*Attorneys for Morris Schneider  
Wittstadt, LLC f/k/a Morris Hardwick  
Schneider, LLC and MSLAW, INC.  
f/k/a MHSLAW, Inc.*

E.A. "Seth" Mills, Jr.  
Mills Paskert Divers  
[smills@mpdlegal.com](mailto:smills@mpdlegal.com)

*Attorneys for Mark Wittstadt, Esq. and  
Gerard Wm. Wittstadt, Esq.*

Edward T. M. Garland  
Robin N. Loeb  
Matthew D. Daley  
Garland Samuel & Loeb  
[etg@gsllaw.com](mailto:etg@gsllaw.com)  
[rnl@gsllaw.com](mailto:rnl@gsllaw.com)  
[mdd@gsllaw.com](mailto:mdd@gsllaw.com)

Johannes S. Kingma  
Peter Werdesheim  
[jkingma@carlockcopeland.com](mailto:jkingma@carlockcopeland.com)  
[pwerdesheim@carlockcopeland.com](mailto:pwerdesheim@carlockcopeland.com)

*Attorneys for Defendant  
Nathan E. Hardwick, IV*

This 2<sup>nd</sup> day of September, 2016.

/s/ Thomas J. Gallo  
Thomas J. Gallo  
Georgia Bar No. 283048  
Barnes & Thornburg LLP  
3475 Piedmont Road, NE, Suite 1700  
Atlanta, GA 30305-3327  
Telephone: 404-846-1693  
Facsimile: 404-264-4033  
[thomas.gallo@btlaw.com](mailto:thomas.gallo@btlaw.com)